
OLR Bill Analysis

sSB 293 (File 366, as amended by Senate “A”)*

AN ACT CONCERNING PERMANENCY AND TRANSITION PLANS.

SUMMARY:

This bill requires the Department of Children and Families (DCF) to document a child’s eligibility for Social Security benefits, including Supplemental Security Income (SSI), survivor, and disabled child benefits, in the permanency plan for each child in its care and custody. The bill also establishes additional permanency plan requirements.

The bill requires DCF to complete and submit an SSI application for each eligible child in its care and custody. It also requires DCF to (1) maintain and respond to any correspondence regarding the application and benefits and (2) determine if a 17-year-old Social Security recipient will need a representative payee when he or she ages out of DCF care and plan accordingly.

*Senate Amendment “A” clarifies that DCF must maintain and respond to correspondence regarding a child’s Social Security application and any benefits, not just those that are forthcoming.

EFFECTIVE DATE: October 1, 2012

PERMANENCY PLAN REQUIREMENTS

The bill requires any DCF permanency plan document and hearing that addresses a child’s or youth’s permanency plan to include:

1. for a child age five or younger, the steps DCF has taken to make the necessary referrals for early intervention, preschool, or special education services, which are being provided or scheduled to be provided in accordance with applicable law;
2. for a child age 16 or older, the steps DCF has taken to enable the

child to learn independent living skills and complete a secondary education or vocation program; and

3. for a child age 16 or 17, (a) the steps DCF has taken to develop a personalized transition plan, including options for housing, health insurance, education, local opportunities for mentors and continuing support services, work force support, and employment services; (b) a review of the child's current benefits, including Social Security; and (c) the steps DCF will take to ensure the child is screened for eligible benefits.

REPRESENTATIVE PAYEE

For any 17-year-old Social Security recipient in DCF custody, DCF must:

1. determine if the child will require a representative payee to assist in managing the child's Social Security benefits when the child ages out of DCF care and custody;
2. if a representative payee is needed, identify one who must comply with responsibilities set forth in federal law; and
3. if a representative payee is not needed, provide the child with assistance including educating the child about maintaining (a) Social Security eligibility and (b) a bank account for electronic deposit of Social Security payments.

BACKGROUND

Representative Payee Responsibilities

Under federal law, a representative payee is responsible for:

1. using the benefits received on the beneficiary's behalf only in a manner that would be in the beneficiary's best interest;
2. keeping the beneficiary's benefits separate from the payee's own funds and showing the beneficiary's ownership of these benefits unless the payee is a state or local government agency for whom the Social Security Administration (SSA) has

granted an exception to this requirement;

3. treating any interest earned on the benefits as the beneficiary's property;
4. notifying the SSA of any event or change in the beneficiary's circumstances that affect the amount of benefits the beneficiary receives, the beneficiary's right to receive benefits, or how the beneficiary receives them;
5. submitting to SSA, upon the beneficiary's request, a written report accounting for the benefits received on the beneficiary's behalf, and making all supporting records available for review if SSA requests; and
6. notifying SSA of any change in his or her circumstances that affect performance of his or her payee responsibilities (20 C.F.R. 404.2035).

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference
Yea 8 Nay 0 (03/08/2012)

Human Services Committee

Joint Favorable
Yea 16 Nay 0 (03/22/2012)